681 The payment of atonement came not only
[576] after a violation of the law but also after a violation of
[689] manners and customs such as sitting down without regard to custom,[67] looking into a house through "God's window,"[68] speaking the name of the dead,[69] talking about the secrets of other people, looking at unclean things,[70] or disturbing a sacred place.[71] *Ashinpe* was therefore not a mere fine but a gift used to beg pardon of God for in the very presenting of the gift was implicit an apology to God. When disputes were settled among persons there was no question about the distribu-
[622] tion of *Ashinpe*. But if the chief had acted as judge
[692] he collected the *Ashinpe* and distributed it to the injured party. This is described in Sakai Tadaiku's *Hokkaidō Junkōki* [Record of a Tour of Hokkaidō] as follows: "When a person did wrong, he was reprimanded and made to atone after which he was set free. The disposition of this atonement was the duty of the *Otona*." in the *HDHS* it is said that "the chief after passing judgment would collect from the guilty party wealth in accordance to the offense and give it to the injured party." The *Tsugaru Kibun* notes: "When an offense has been committed through error, the chief of the village would examine the case and impose a fine on the party to blame and present this to the other party." It is evident that those in power could abuse this custom and acquire wealth by challenging others to a *Charanke* over a trifle.

681 Another important method of settling disputes was
578 a duel with clubs. This was the *Ukaru*, *U* meaning
627 "mutually" and *Karu* meaning "to beat," the whole word literally being taken as to beat each other with clubs. The clubs were called *Shuto*. This custom was called *Shutouchi* in Japan and the term became corrupted to *Suzuuchi*, *Sutsuuchi*, and *Tsuchiuchi*. *Shutouchi* along with *Tsugunai* was an important method of settling disputes. The *Waterishima Hikki* notes: "When a matter was arbitrated between two individuals *Tsugunai* was offered and if it was refused the one was beaten on the hip by the other with a club until he bled and apologized. This is called *Ukaru*." The *Hokkai Zuihitsu* states: "This was used when one so

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[67] *Tōkai Yawa*.

[68] Chiri Yukie trans., *Ainu Shinyō Shū* (Ainu psalms), 116-117, fn. ['God's window' was opposite the entrance and back of the altar in an Ainu house. Sacred and covered with a screen, it was a sacrilege to peep through this window through which the bear was carried into the huntsman's house.]

[69] "Without knowing that his parents and family were dead I asked him how they were whereupon tears came flowing from his eyes and greatly enraged he demanded atonement." *Watarishima Hikki*.

[70] "It is said to be the law of this country that *Tsugunai* had to be paid if one saw the vagina." *Tōi Shuran* (Observations of Eastern Ezo), vol. 2 of *Ichigatusowa* (Conversations about the land of the barbarians).

[71] "They did not do any thing rude facing the sea. Therefore, if an Ezo found another urinating toward the sea he would immediately demand *Tsugunai*." *Ibid.* "A person urinated upon the grave of an Ezo's father. The Ezo was furious but the argument was settled by presenting *Tsugunai*." *Tōyū Ki*.